THE RAJASTHAN REGIONAL AND URBAN PLANNING BILL, 2024

A

Bill

to provide for comprehensive planning, harmonious and regulated development of regions and towns of different categories in the State, aimed at optimum utilisation of resources and to achieve above mentioned objectives and for matters connected therewith or incidental thereto.

Be it enacted by the Rajasthan State Legislature in the Seventy Fifth Year of the Republic of India, as follows: —

CHAPTER 1

Preliminary

1. Short title, extent and commencement. - (1) This Act may be called the Rajasthan Regional and Urban Planning Act, 2024

(2) It shall extend to the whole of the State of Rajasthan.

(3) It shall come into force at once.

2. Definitions. - (1) In this Act, unless the subject or context otherwise requires, -

(i) "amenity" means roads, bridges, transport and any other means of communication, gas pipe line, street lighting, streets, open spaces, parks, recreational grounds, play grounds, sports complex, parade grounds, education and health facilities, gardens, water supply, electricity supply, sewerage, drainage, solid waste disposal and includes other utilities, services and conveniences;

(ii) "building" means any construction or part of a construction which is intended to be used for residential, commercial, industrial or other purposes, whether in actual or not, and includes any out-house, cattle shed and garage;

(iii) "building operations" includes-

(a) erection or re-erection of a building or any part of it;

(b) roofing or re-roofing of a building or any part of a building or an open space;

(c) any material alteration or enlargement of any building;

(d) any such alteration of a building as is likely to affect an alteration of its drainage or sanitary arrangements, or materially affects its security;

(iv) "competent authority" means a local authority, Rajasthan Housing Board, or any other authority designated by the State Government in this behalf;

(v) "development" with its grammatical variations means the carrying out of building, engineering, mining or other operations in or over or under any land or the making of any material change in any building or land or in the use of any building or land and includes demolition of any existing building, structure or erection or part of such building, structure or erection; and reclamation, redevelopment and lay-out and sub-division of any land; and "to develop" shall be construed accordingly;

(vi) "heritage" includes monuments, architectural works or sites, stepwells, works of monumental sculpture and painting, elements or structures of an archaeological nature, inscriptions, cave dwellings and combination of features, and or group of buildings connected, natural heritage including Water Bodies, Hills or otherwise which are of universal value from the point of history, art or science, or their homogeneity or their place in landscape or their place in history, art or science or all such matters and shall also include the ancient monuments, archaeological sites and remains declared or

deemed to have been declared to be of national importance under the provision of the Ancient Monuments, Archaeological Sites and Act, 1958 (Central Act No. 24 of 1958), the Rajasthan Monuments, Archaeological Sites and Antiquities Act, 1961 (Act No. 19 of 1961) and any other law for the time being in force;

(vii) "local authority" means a Municipality constituted under the Rajasthan Municipalities Act, 2009 (Act No.18 of 2009), a Panchayati Raj Institution constituted under the Rajasthan Panchayati Raj Act, 1994 (Act No.13 of 1994), an Urban Improvement Trust constituted under the Rajasthan Urban Improvement Act, 1959 (Act No.35 of 1959), the Jaipur Development Authority constituted under the Jaipur Development Authority Act, 1982 (Act No.25 of 1982), the Jodhpur Development Authority constituted under the Jodhpur Development Authority Act, 2009 (Act No.2 of 2009), the Ajmer Development Authority constituted under the Ajmer Development Authority Act,2013 (Act No. 39 of 2013), the Udaipur Development Authority constituted under the Udaipur Development Authority Act, 2023 (Act No.28 of 2023), the Kota Development Authority constituted under the Kota Development Authority Act, 2023 (Act No.31 of 2023),

(viii) "local newspaper" in relation to any area within the Jurisdiction of a local authority, means any daily newspaper published or circulated within that area;

(ix) "Plan" means a Plan prepared under this Act and includes a Draft Plan;

(x) "municipality" means the municipality as defined in clause (xlii) of section 2 of the Rajasthan Municipalities Act, 2009 (Act No.18 of 2009);

(xi) "operational construction" means any construction, whether temporary or permanent, which is necessary for operation, maintenance, development or execution of any of the following services, namely:-

(i) railways;

(ii) Metro Rail and BRTS or LRT

(iii) national highways;

(iv) national waterways;

(v) airways and aerodromes;

(vi) posts and telegraphs, telephone, wireless, broadcasting, Internet and other such like forms of communication;

(vii) regional grid for electricity;

(viii) any other service, the State Government may, if it is of the opinion that the operation, maintenance, development or execution of such service is essential to the life of the community, by notification, declare to be a service for the purposes of this clause;

(xii) "Panchayat" means a Panchayati Raj Institution at the level of a village established under the Rajasthan Panchayati Raj Act, 1994 (Act No. 13 of 1994);

(xiii) "planning agency" means the agency designated as such under section 4 of this Act;

(xiv) "planning area" means a regional planning area or urban planning area declared under section 3 of this Act;

(xv) "prescribed" means prescribed by rules made under this Act;

(xvi) "Rajasthan Housing Board" means the Rajasthan Housing Board constituted under the Rajasthan Housing Board Act, 1970 (Act No.4 of 1970);

(xvii) "Regional Plan" means a plan prepared for the regional planning area declared under section 3 of this Act and includes Draft Regional Plan;

(xviii) "regulation" means the regulation made under this Act;

(xix) "rule" means the rule made under this Act;

(xx) "Special Area" means the particular area notified and develop as such special area under the section 4 of this Act.

(xxi) "Urban Improvement Trust" means a trust constituted under the Rajasthan Urban Improvement Act, 1959 (Act No. 35 of 1959);

(xxii) "urban local authority" means a Municipality constituted under the Rajasthan Municipalities Act, 2009 (Act No.18 of 2009), an Urban Improvement Trust constituted under the Rajasthan Urban Improvement Act, 1959 (Act No.35 of 1959), the Jaipur Development Authority constituted under the Jaipur Development Authority Act, 1982 (Act No.25 of 1982), the Jodhpur Development Authority constituted under the Jodhpur Development Authority Act, 2009 (Act No.2 of 2009), the Ajmer Development Authority constituted under the Ajmer Development Authority Act,2013 (Act No. 39 of 2013), the Udaipur Development Authority constituted under the Udaipur Development Authority Act, 2023 (Act No.28 of 2023), the Kota Development Authority constituted under the Kota Development Authority Act, 2023 (Act No.31 of 2023);

(xxiii) "zonal plan" means a plan prepared under the provision of Chapter 5 of this Act.

(2) Words and expressions used in this Act, but not defined herein, shall have the same meanings as assigned to them in the Rajasthan Urban Improvement Act,1959 (Act No. 35 of 1959), the Rajasthan Municipalities Act, 2009 (Act No. 18 of 2009), the Jaipur Development Authority Act, 1982 (Act No. 25 of 1982), the Jodhpur Development Authority Act, 2009 (Act No. 2 of 2009), the Ajmer Development Authority Act, 2013 (Act No. 39 of 2013), the Udaipur Development Authority Act, 2023 (Act No.28 of 2023), the Kota Development Authority Act, 2023 (Act No.31 of 2023);

CHAPTER 2

Planning Area and Planning Agency

3. **Declaration of planning area. -** (1) The State Government may, from time to time, by notification in the Official Gazette, declare any area in the State to be a regional planning area, urban planning area, New Town area or Special area for the purpose of preparation of Regional Plan for the regional planning area, Master Plan for urban planning area, New Town Development Plan for New Town area or, as the case may be Special area plan for Special area.

(2) In case of urban planning area, the whole planning area shall be designated as urban area under one or more urban local authorities. In case of regional planning area, the State Government may designate one or more parts of planning area as urban area under one or more urban local authorities for the purpose of implementation of plan and other functions assigned by the State Government and the remaining part of the planning area shall be termed as rural area. In case of New Town area or Special area the State Government may designate any existing urban local authority or may constitute a new agency for the purpose of

implementation of plan and other functions assigned by the State Government.

(3) Every notification published under sub-section (1) shall define the limits of the planning area.

(4) Except in such class or category of cases which the State Government may, by notification in the Official Gazette, exempt and except in the case of operational constructions, no person shall, on or after publication of public notice under sub-section (1) and till the date the Regional Plan, the Master Plan, New Town Development Plan or, as the case may be, Special Area Plan comes into operation, institute or change the use of land for any purpose or carry out any development in respect of any land without the previous permission of the competent authority in consultation with the planning agency.

(5) The State Government may, at any time after declaration made under sub-section (1), alter the limits of any regional planning, urban planning area, New Town planning area or, as the case may be, Special Planning area.

(6) Where an area has been declared to be a regional planning area or an urban planning area or a Special area or New Town Area under this section, the provisions of any other law of the State for the time being in force shall, as far as they are inconsistent with the provisions of this Act, cease to operate in such area to the extent of inconsistency.

4. Designation of planning agencies.- (1) As soon as may be, after declaration of a planning area under section 3, the State Government may, for the purpose of preparation of Regional Plan, Master Plan, New Town development plan or, as the case may be, Special Area Plan designate the State Town Planning Department or any Urban local authority as a planning agency. However, in case an urban local authority is appointed as a planning agency, such planning agency shall prepare

the Regional Plan, Master Plan, New Town development plan or, as the case may be, Special Area Plan in consultation and technical guidance of State Town Planning Department.

(2) The State Government may constitute an advisory committee, by notification in the Official Gazette, consisting of the public representatives of the area concerned, officials of various departments such as Town Planning Department, Public Works Department, Public Health and Engineering Department, Vidyut Vitran Nigam Ltd., Forest Department, Industrial Department, Irrigation Department, Revenue Department, Executive Officers of Local Authorities and Town Planners for examining and suggesting various proposals to the planning agency for the preparation of Regional Plan or Master Plan. A Town Planner not below the rank of Senior Town Planner shall be appointed as the member secretary of the Advisory Committee.

5. **Functions of designated planning agencies. -** (1) the planning agencies shall act under the overall direction and control of the State Government.

(2) The planning agency shall carry out or get carried out necessary surveys required for the purpose of preparation of the Regional Plan, the Master Plan, New Town Development Plan or, as the case may be, Special Area Plan of the Regional planning area, urban Planning area, new town planning area or, as the case may be, Special planning area, and shall prepare Regional Plan, Master Plan, New town development plan or, as the case may be, Special area plan.

(3) Subject to and in accordance with the directions of the State Government, the planning agency shall exercise all such powers as may be necessary or expedient for the purposes of carrying out its functions under this Act and also perform such other functions which are

supplemental, incidental, or consequential to the functions specified in sub-section (2) as may be prescribed.

CHAPTER 3

Preparation and approval of Regional Plan, Master Plan, New town Development Plan and Special Area Plan

6. Preparation of Regional Plan, Master Plan New town Development Plan and Special Area Plan.- (1) Subject to the provisions of this Act and the rules made thereunder, the planning agency shall, with a view to securing planned development and use of land in a designated planning area, prepare or get prepared a Regional Plan, Master Plan, **New town Development Plan** or, as the case may be, **Special Area Plan** for such period as may be prescribed.

(2) While preparing a Regional Plan, the designated planning agency shall duly consider and incorporate as far as possible, the Master Plan, New Town Development Plan or any other Development Plan or Scheme or Projects or Special area plan duly approved by the competent authority.

(3) While preparing a Master Plan, the designated planning agency may duly consider and incorporate as far as possible, the Regional Plan, New town Development Plan or the Zonal Plan or the Sector Plan or the Schemes or the Projects or Special area plan duly approved by the competent authority.

(4) While preparing a New Master Plan for any urban planning area, in which a Master Plan or Master Development Plan or New Town Development plan is already in operation, or while revising a Master Plan, the planning agency may alter the boundaries or extent or location of various zones or land uses of such plan having regard to the nature of the present and future requirements of development.

7. **Contents of the Regional Plan.-** (1) The Regional Plan shall contain the following, namely:-

(i) a map of the regional planning area showing the names and boundaries of district, tehsil, revenue villages, municipal area included in the regional planning area;

(ii) a generalised existing land use map showing urban and rural settlements, major transport networks, physical features like forests, hills, major water bodies, rich mineral zones, areas of heritage and tourism importance etc. and other matters as decided by the planning agency; and

(iii) a proposed plan that may include all or any of the following aspects, namely:-

(a) integrated transport infrastructure;

(b) proposed settlement pattern;

(c) conservation of forest, water bodies and other natural features;

(d) natural hazards and natural disaster prone areas and their mitigation;

(e) Natural and builtup heritage sites of regional importance and rich mineral zones;

(f) all other matters as are consistent with the objective of this Act.

(2) Subject to such rules as may be prescribed under this Act for regulating the form and contents of the Regional Plan, the Regional Plan shall include such maps and such description as may be necessary to explain and illustrate the proposals contained therein.

8. **Contents of the Master Plan, New town Development plan and Special area plan.-** (1) all Plans shall contain the following, namely:-

(i) a map of the planning area showing the names and boundaries of district, tehsil, revenue villages, municipal area included in the urban planning area;

(ii) a base map and generalized existing land use map marked with major land use categories such as agriculture, public, semi-public, parks and open spaces, playgrounds, residential, industrial, commercial, roads, street pattern, amenities, services, utilities or rural settlements, existing urban settlements etc. or such other features matters as may be decided by the planning agency;

(iii) a proposed plan that may include all or any of the following, namely:-

(a) (i) For Master Plan, New town Development Plan, Special area plan Define of various zone for the purpose of improvement and development.

(ii) Manner in which the land in the planning area is proposed to use.

(b) preservation, conservation and development of areas of natural scenery, forest, rivers, water bodies, dunes, hills, wildlife and natural resources;

(c) preservation of objects/features/structures or places of historical, natural, architectural or scientific interest;

(d) natural hazards and natural disaster prone areas and their mitigation;

(e) protected land such as wetlands, biodiversity;

(f) controlled development areas;

(g) low to high rise, low to high density development areas;

(h) redevelopment areas or re-densification areas within existing developed areas;

(i) controlled development area reserved for future planning and extension;

(j) transport and circulation plan consisting of road network, railways, airports etc.;

(k) for Master Plan, New Town development Plan reservation of areas for city level amenities;

(l) for Special Area Plan reservation of areas for amenities.

(m) all other matters as are consistent with the objective of this Act.

(2) Subject to such rules as may be prescribed under this Act for regulating the form and contents of the Master Plan, it shall include such maps and such description as may be necessary to explain and illustrate the proposals contained therein.

9. Procedure to be followed for approval of Regional Plan, Master Plan, New Town Development plan and Special Area Plan. - (1) The planning agency shall publish the Draft Regional Plan, the Draft Master Plan, Draft New Town Development Plan or, as the case may be, the Draft Special area plan in the manner as may be prescribed for inviting objections/suggestions from public.

(2) The copies of Draft Regional Plan the Draft Master Plan, Draft New Town Development Plan or, as the case may be, the Draft Special area plan, shall be sent to all Panchayats, Municipalities and other Local Authorities concerned, public representatives of the area concerned and Government Departments concerned in the planning area for their suggestions.

(3) The planning agency shall scrutinize all the objections/ suggestions received and may also consider such matters as the planning agency deems appropriate and thereafter shall prepare a report on proposed modifications in Draft Regional Plan, Draft Master Plan, Draft

New Town Development Plan or, as the case may be, the Draft Special area plan. (4) The Draft Regional Plan, Draft Master Plan, Draft New Town Development Plan or, as the case may be, the Draft Special area plan, with the modifications proposed under sub-section (3) and a report prepared on such modifications shall be submitted to the State Government for approval.

(5) The State Government may-

(i) approve the Draft Regional Plan, Draft Master Plan, Draft New Town Development Plan or, as the case may be, the Draft Special area plan, so received for the whole of the area covered by the plan or separately for any part thereof, either without modifications, or subject to such modifications, as it may deem fit; or

(ii) return the Draft Regional Plan, the Draft Master Plan, Draft New Town Development Plan or, as the case may be, the Draft Special area plan, to the planning agency for modifying the plan in such manner as it may direct; or

(iii) refuse to accord approval to the Draft Regional Plan, the Draft Master Plan, Draft New Town Development Plan or, as the case may be, the Draft Special area plan, and direct the planning agency to prepare a fresh Draft Regional Plan, Draft Master Plan, Draft New Town Development Plan or, as the case may be, the Draft Special area plan, under the provision of this Act.

(6) The planning agency shall, on receipt of Draft Regional Plan Draft Master Plan, Draft New Town Development Plan or, as the case may be, the Draft Special area plan for modifications as per sub-clause (ii) or for preparing a fresh Plan as per sub-clause (iii) of sub-section (5), prepare fresh or modified Draft Regional Plan Draft Master Plan, Draft

New Town Development Plan or, as the case may be, the Draft Special area plan and shall follow the relevant provisions of this section.

(7) Immediately after the State Government approve in part or whole the Regional Plan, the Master Plan, New town development plan or, as the case may be, the Special Area plan, such Plan shall come into operation from the date of approval by the State Government and the State Government shall issue a notification to this effect in the Official Gazette. The planning agency shall publish such notification in at least one local newspaper indicating therein the place where copies of Regional Plan, Master Plan, New town development plan or, as the case may be, the Special Area plan may be inspected. The Regional Plan New town development plan or, as the case may be, the Special Area plan shall also be published on the website of all urban local authorities within the planning area.

10. Minor changes in the Regional Plan, Master Plan, New Town Development plan and Special Area Plan.- At any time after the date on which the Regional Plan, Master Plan, New town development plan or, as the case may be, the Special Area plan comes into operation, the ~~State Government~~ **(Planning Agency)** may make such minor changes in the Plan as may be necessitated by topographical and cartographical errors or omissions, or error occurred due to physical survey or due to misinterpretation of data or to indicate data proposal not fully indicated on the plan or provide for changes arising out of the implementation of the proposal in the plan and other minor modifications such as minor change in road alignment due to existing ground conditions. All such minor changes shall be notified in the Official Gazette and shall be published on the website of all urban local authorities within the planning area.

11. Modification in the Regional Plan, the Master Plan, New Town Development plan and Special Area Plan. (1) If, after the Regional Plan Master Plan, New town development plan or, as the case may be, the Special Area plan has come into operation, the State Government is of the opinion that it is expedient to make modification in the Regional Plan Master Plan, New town development plan or, as the case may be, the Special Area plan, the State Government may, by notification in the Official Gazette, make such modifications in the manner as may be prescribed.

(2) Before making any modification under sub-section (1), a public notice shall be issued inviting objections/suggestions in the manner as may be prescribed and such objections/suggestions shall be taken into consideration while making modification in the Plan.

12. Review and revision of the Regional Plan the Master Plan, New Town Development plan and Special Area Plan.- (1) Notwithstanding anything contained in this Act, if, at any time, after the Regional Plan Master Plan, New town development plan or, as the case may be, the Special Area plan has come into operation, the State Government is of the opinion that review of such Plan is necessary, it may direct the Town Planning Department or any local authority as may be designated by it, to review the Regional Plan Master Plan, New town development plan or, as the case may be, the Special Area plan and to revise such Plan if considered necessary. The planning agency or, as the case may be, the local authority may carry out if necessary, fresh surveys and foregoing provisions of this chapter shall, so far as they can be made applicable, apply to the revision of such Plan as these provisions apply in relation to the preparation and approval of the Regional Plan, Master Plan, New town development plan or, as the case may be, the Special Area plan.

13. Preparation of Regional Plan, the Master Plan, New Town Development plan and Special Area Plan for modified area.- (1) If at any time after declaration of intention to prepare a Regional Plan , Master Plan, New town development plan or, as the case may be, the Special Area plan, after a Plan has come into operation and the planning area is extended by inclusion of any area by the State Government, the planning agency shall prepare and get approve a Regional Plan , Master Plan, New town development plan or, as the case may be, the Special Area plan of the extended area or for the whole revised planning area as may be directed, in accordance with the provisions of this Act.

(2) Where any area is excluded from the planning area of a Regional Plan, Master Plan, New town development plan or, as the case may be, the Special Area plan, the proposals, if any, made for that area so excluded in such Regional Plan, Master Plan, New town development plan or, as the case may be, the Special Area plan shall also be deemed to be excluded there from.

14. Master Plans prepared prior to this Act.- (1) Notwithstanding anything contained in this Act, where a Master Plan or Master Development Plan if any, prepared under the provision of any other law for the time being in force has been in operation, the State Government may–

(i) declare that such Master Plan or Master Development Plan shall be deemed to be the Master Plan prepared under this Act.

(ii) direct to prepare a fresh Master Plan under the provisions of this Act and on and from the date on which the fresh Draft Master Plan is published under this Act, such Master Plan or Master Development Plan shall ceased to be in operation.

CHAPTER 4

Implementation of Regional Plan, Master Plan, New Town Development plan and Special area plan.

15. Implementation of Regional Plan. – (1) All developments in Regional Planning area shall be in accordance with the Regional Plan. For effective monitoring of implementation of the Regional Plan and coordination between various departments, Local Authorities and other agencies, the State Government may constitute a committee consisting of such number of members as it may deem fit and in such manner as may be prescribed.

(2) Functions and powers of the Committee.- (1) Subject to the provisions of this Act and the rules made thereunder, the functions of the Committee shall be to guide, direct and assist the planning agency, advise the Government in matters relating to Implementation of Regional plan and to perform such other functions as the Government may, from time to time, assign to it.

16. Implementation of Master Plan, New Town Development plan and Special area plan.- (1) On or after the date on which a Master Plan, New Town Development plan and Special area plan has come into operation, no person including public or private bodies shall institute or change the use of land for any purpose or carry out any development in respect of any land, within the limits of the planning area without the permission in writing of the competent authority:

Provided that no such permission shall be necessary:-

(i) for carrying out of any work for the maintenance, improvement or other alteration of any building, being work which affect only the interior of the building or which do not materially affect the external appearance thereof;

(ii) for carrying out of any work in compliance with any order or direction made by any authority under any law for the time being in force;

(iii) for carrying out of any work by any authority in exercise of its powers under any law for the time being in force;

(iv) for carrying out of-

(a) any operational construction undertaken by the Central Government or a State Government;

(b) any work for the purpose of inspecting, repairing or renewing any drains, sewers, mains, pipes, cables, telephone or other apparatus or the breaking open of any street or other land for such purpose.

(v) for any excavation, including excavation of wells made in the ordinary course of an agricultural operation;

(vi) for the construction of a road intended to give access to land solely for agricultural purposes;

(vii) for the normal use of land which has been used temporarily for other purposes;

(viii) for use, for any purpose incidental to the use of a building for human habitation or any other building or land attached to such building.

(2) In case any dispute arises out of implementation of the master plan, the State government may take appropriate action to resolve the dispute.

17. Consolidation of land for amenities. - For implementation of proposals of the Regional Plan, Master Plan, New Town Development plan and Special area plan and to make available the land proposed for amenities in such plan, the State Government may frame and notify a policy for consolidation of land reserved for amenities.

18. Composition of unauthorized development and use of land.- Notwithstanding anything contained in this Act or any other Rajasthan laws, where any person has carried out any development of permanent nature or has changed the use of land –

(a) without permission of the competent authority; or

(b) which is not in accordance with any permission granted or is in contravention of any condition subject to which such permission has been granted; or

(c) in contravention of any permission granted or duly modified,

such development may be compounded by the competent authority concerned on such terms and on payment of such fees and charges, as may be prescribed by the State Government from time to time:

Provided that no development shall be compounded under this section which is in violation of any plan prepared or deemed to have been prepared under this Act.

~~**19. Certain lands to vest in Urban Local Authorities and its disposal.-** (1) Notwithstanding anything contained in the Rajasthan Land Revenue Act,1956 (Act No. 15 of 1956), the land as defined in section 103 of the Act, excluding land referred to in sub-clause (ii) of clause (a) of the said section in any urban area shall immediately after the commencement of this Act be deemed to have been placed at the disposal of and vested in the urban local authority concerned which shall takeover such land for and on behalf of the State Government and may use the same for the purpose of this Act and may dispose of the same by way of allotment, regularization or auction subject to such conditions and restrictions as the State Government may, from time to time lay down and in such manner, as it may prescribe.~~

~~(2) Any such land vested with urban local authority before the commencement of this Act shall remain at the disposal of the same~~

~~authority for the purpose of disposal by way of allotment, regularization or auction.~~

~~(3) If any land vested in the urban local authority is required at any time by the State Government for any purpose, the State Government may, by order, may place such land at the disposal of any department of the State Government or any other local authority on such terms and conditions as may be deemed fit.~~

~~**20. Power to cancel lease deed.**- If any person has obtained a lease deed of any piece of urban land from an urban local authority by fraud, misrepresentation or suppression of facts, or has violated any terms or conditions, on which the lease deed has been issued, the urban local authority concerned may, after making such enquiry, as it may think necessary and after affording a reasonable opportunity of being heard to such person, cancel such lease deed and thereupon the land together with the building, if any, constructed thereon, shall revert to the urban local authority concerned with no claim of compensation.~~

21. To Promotion and Control or Land development of Planning Area.- The State Government may frame policies, rules and regulations to promote, Control and regulate the manner of land development, framing of various types of schemes of land development, procedure to be followed for permission related to land development and change of use of land, building construction for overall development control of the planning area notified under this Act.

CHAPTER 5

Zonal Plan

22. Preparation and approval of zonal plans.- (1) For such towns or any part thereof as may be directed by the State Government,

after a Master Plan has come into operation, the Local authority shall prepare zonal plans.

(2) The Local authority shall delineate suitable number of zones, with clearly identifying the limits of such zones in the manner as may be prescribed.

(3) The zonal plan shall contain all or any of the following, namely:-

(i) a base map of the zone indicating various physical features like road, railway lines, electric lines, Gas and petroleum pipe lines, natural features like river, hills, water bodies, forest, historical monuments, existing developments with their use and such other matters;

(ii) superimposition of proposals of Master Plan;

(iii) proposals for reservations along and around natural conservation areas, rivers, water bodies, plantation belt etc. if any;

(iv) proposed road network and circulation plan;

(v) proposal for amenities;

(vi) proposal for redevelopment and re-densification or controlled development or promoted development;

(vii) any other matters as the Local authority deems fit.

(4) A draft of zonal plan shall be prepared in consultation with the State Town Planning Department and published for inviting public objections/suggestions in the manner as may be prescribed.

(5) After considering the objections/suggestions and making necessary modifications, if required, the final zonal plan shall be prepared in consultation with the State Town Planning Department. The final plan so prepared shall be approved by the Local authority concerned.

(6) Immediately after approval of zonal plan, the Local authority shall publish a notice to this effect in the manner as may be prescribed, and the

zonal plan shall come into operation with immediate effect. The Local authority shall publish such zonal plan on its website.

(7) Minor changes in zonal plan as necessitated by topographical and cartographical errors and omissions or error due to physical survey or to indicate proposals not fully indicated on zonal plan or factual errors corresponding to revenue land records or minor changes arising out of the implementation of the proposals of zonal plan and other minor modifications such as minor change in road alignment due to existing ground conditions can be made by the Local authority. All such minor changes in the zonal plan shall be published on website of the local authority.

(8) At any time after a zonal plan has come into operation, the Local authority may, in such manner as may be prescribed, make changes or modifications or may review the zonal plan. No such changes or modification shall be made without inviting public objections/suggestions.

CHAPTER 6

FINANCE

23. State Urban and Regional Planning Fund -

(1) Government may constitute a State Urban and Regional Planning Fund for the purpose of furthering the town planning functions under the Act.

(2) The Government may, from time to time, allocate fund from to this fund

(i) Consolidated Fund of the State

(ii) Certain share of revenue of local body from change in Land use, land Conversion, Layout plan approval, building plan approval fee etc. as prescribed.

(3) Fund may be utilized for the performance of the functions under this Act, which may include-

(a) Preparation of plans;

(b) Any purpose incidental to the preparation of development plans.

(c) Capacity Building and Training of man power

(d) Strengthening of office infrastructure

(2) The said fund shall be vested in, and administered and in such manner as may be prescribed.

24. Development Fund for Implementation of Plans.

(1) **Provision for development Fund :** The State Government shall constitute a fund for execution and monitoring of master/ zonal development plan and other such plans to be known as Urban Development Fund in local authorities which will be created / contributed by :-

- The State Government yearly or in such instalments in each year as it may determine in accordance with the projects or schemes included in the State Plan.
- such other moneys as may be paid to the local authority by the State Government, Central Government or any other authority or agency by way of grants, loans, advances, share etc or otherwise;
- share of the income of the local authority determined allocated in yearly budget

(2) The money credited from time to time, to the said Fund, shall be utilized only for the purposes of implementation of Master plan, Special area plan, zonal plan, Local area plan, projects for planning and Development of urban area, demarcation of Master/zonal plan

road and development of any land reserved for any of the public purposes specified in any plan or scheme under this Act and for providing public amenities in the area under the jurisdiction of the said Authority and maintenance and improvement thereof.

The local authority may keep in saving or deposit account with any Bank approved by the State Government in this behalf, such sum of money out of its Fund as may be determined by the Department and any money in excess of the said sum shall be invested in such manner as may be prescribed.

CHAPTER 6

Miscellaneous

1. **Power of entry.-** (1) For the purpose of making or execution of any Plan, the planning agency, the Local authority or persons appointed or authorized *by* them or by the State Government shall have the power to enter upon, survey and setup marks on property and to do all acts necessary for such purposes as provided under this Act:

Provided that-

(i) in the case of any building used as a dwelling house, or upon any enclosed part of garden attached to such a building, no such entry shall be made except between the hours of sunrise and sunset or without giving its occupier at least twenty four hours' notice in writing of the intention to enter;

(ii) sufficient opportunity shall in every instance be given to enable women (if any) to withdraw from such land or building;

(iii) due regard shall always be had, so far may be compatible with the exigencies of the purpose for which the entry is made, to

the social and religious usages of the occupants of the land or building entered.

(2) Any person who obstructs the entry of a person empowered or authorized under this section to enter, into or upon any land or building or molests such persons after such entry shall on conviction, be punished with imprisonment for a term which may extend to six months or with fine as prescribed or with both.

2. **Assistance to planning agency.** - The Local authority and the Government Department concerned shall make the information available to planning agency required by it in performing its functions under the provisions of this Act.

3. **Power to delegate. -** The State Government may, by notification in the Official Gazette, delegate, except the powers as defined in sections 28 and 29, power exercisable by it under this Act, to any officer of the State Government subject to such conditions, if any, as may be specified in such notification.

4. **Power to remove difficulties.-** (1) If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by an order published in the Official Gazette, do anything not inconsistent with the provisions of this Act, which appears to it to be necessary or expedient for removing the difficulty:

Provided that no order under this section shall be made after expiry of a period of two years from the date of commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be, after it is so made, before the House of the State Legislature.

5. **Overriding effect on other Rajasthan laws.-** (1) Save as otherwise provided in this Act, the provisions of this Act, the rules and regulations made thereunder shall have effect notwithstanding anything

inconsistent therewith contained in other Rajasthan laws for the time being in force.

(2) Notwithstanding anything contained in any Rajasthan laws-

(i) when permission for development in respect of any land has been obtained under this Act, such development shall not be deemed to be not validly undertaken or carried out by reason only of the fact that the permission, approval or sanction required under such other law for such development has not been obtained;

(ii) when permission for the development has not been obtained under this Act, such development shall not be deemed to be validly undertaken or carried out by reason only of the fact that permission, approval or sanction required under such other law for such development had been obtained.

6. **Power to make rules. -** The State Government may, by notification in the Official Gazette, make rules for the purpose of carrying out generally the provisions of this Act and regulating any particular matter thereunder which requires to be prescribed or in respect of which rules are required to be or may be made.

7. **Power to make regulation. -** The State Government may, by notification in the Official Gazette, make regulations, consistent with this Act and the rules made thereunder, to carry out the purposes of this Act, for all or any of the matters to be provided under this Act by regulations and generally for all other matters for which provision is, in the opinion of the State Government, necessary for the exercise of its powers and the discharge of its functions and duties under this Act.

8. **Laying of rules and regulations.-** All rules and regulations made under this Act shall be laid, as soon as may be after these are so made, before the House of the State Legislature, while it is in session for

a total period of thirty days which may be comprised in one session or in two successive sessions, and if before the expiry of the session in which they are so laid, or of the session immediately following, the House of the State Legislature makes any modifications in any of such rules and regulations, or resolves that any such rule and regulation should not be made, such rules and regulations shall thereafter have effect only in such modified form or, as the case may be, of no effect, so however that any such modification or annulment shall be without prejudice to the validity of anything previously done thereunder.

9. **Repeal, etc. and Savings-** (1) The operation of cause of section-3, sub-section 3(1), (2), Section-4, section-5, sub-section 5(1), (2), (3), (4), section 6, sub-section 6(1), (2), (3) and section 7 chapter 2 of the Rajasthan urban improvement Act, 1959. Section 21, 22, 23, 24, 25, 26, 27, 28 chapter V of the Jaipur development Authority Act, 1982. Section 21, 22, 23, 24, 25, 26, 27, 28 chapter V of the Ajmer development Authority Act, 2013. Section 21, 22, 23, 24, 25, 26, 27, 28 chapter V of the Jodhpur development Authority Act, 2009. Section 21, 22, 23, 24, 25, 26, 27, 28 chapter V of the Udaipur development Authority Act, 2023. Section 21, 22, 23, 24, 25, 26, 27, 28 chapter V of the Kota development Authority Act, 2023. Section 159, 160, 161, 162, 163, 164, 165 Chapter XI of the Rajasthan Municipalities Act, 2009. Shall in respect of a local planning area remain suspended.

STATEMENT OF OBJECTS AND REASONS

The provisions relating to master plans for towns in the State were initially embodied in the Rajasthan Urban Improvement Act, 1959 (Act No.35 of 1959) under which the State Government is empowered to direct such officer or authority to prepare master plan for such urban area as

may be specified by it. Later on Jaipur Development Authority Act, 1982 (Act No.25 of 1982), Jodhpur Development Authority Act, 2009 (Act No.2 of 2009), and Ajmer Development Authority Act, 2013 (Act No. 39 of 2013) came into force under which the Development Authority concerned shall prepare master development plan and zonal development plans for their respective regions. Apart from it, the Rajasthan Municipalities Act, 2009 (Act No.18 of 2009) has also provisions under which a municipality shall prepare plans for development of the municipal town concerned.

Thus preparation of master plan or master development plan and zonal development plan is governed by different laws and there is still no separate law for regional development planning in the State. Many other States have a single and comprehensive law governing the regional and town planning.

Therefore, with a view to provide for comprehensive planning, harmonious and regulated development of regions and towns of different categories in the State, aimed at optimum utilisation of resources and to achieve above mentioned objectives and for matters connected therewith or incidental thereto, the State Government proposes a State legislation namely the Rajasthan Regional and Urban Planning Bill, 2018 having overriding effect on the other laws.

The Bill seeks to achieve the aforesaid objectives.

Hence the Bill.

Minister In charge